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REPLY

To a Pamphlet on the subject of "Assimilated Rank," referred to in a Memorial submitted to the Secretary by sundry Line Officers of the Navy, dated March, 1850.

A pamphlet entitled "*Assimilated Rank in the Navy—its injurious operation upon the discipline, harmony, and general good of the Naval service,*" has just been submitted to the Secretary and the Committees of Congress, as a protest of the officers of the line against the General Orders of Messrs. Bancroft and Mason, confering rank upon the officers of the Medical and Pay departments of the Navy.

The more active managers of this *second* "united" movement, having for its object the degradation of large classes of officers, equally vital to the organization of the service as the line itself, and whose duties and responsibilities are of quite as elevated a character, have contrived to procure (through the indifference of some and the caste prejudices of others) an array of names, whose influence, perhaps, in any other country than ours, might insure the restoration of their late lost and long cherished prerogative of "generally granted courtesy." But, thanks to the genius of our institutions, we are not afraid, with one argument of undeniable justice, to sustain the encounter of a hundred names, however powerful and distinguished they confessedly are.

We question, whether this detached pamphlet, which is referred to in the memorial as a "subjoined communication," has received the perusal of more than half of those whose signatures are made to endorse its contents. At any rate, we feel confident, that this is not exactly the meridian in which the claim of one branch of the Navy to take precedence over another, equally essential and equally respectable, can be recommended solely on the ground of an alleged and self-interpreted "military common law," derived from the most barbarous

and unsettled times. There must be some better reasoned pamphlet than this, to prove to the comprehension of the civilians who make, and the civilians who execute our laws, that there is something so inherently degrading in the nature of pursuits which have any resemblance to the avocations of civil life, that, when exercised in a service which could not be organized without them, they shall hopelessly postpone an officer to his associates in duty, however unmilitary the occasion of their co-operation.

But we object at the outset to the employment of a term, which, while we do not admit the disparagement which is intended, is improperly and insidiously applied to staff officers, with an obvious design of forestalling the very question in dispute. There are no such persons on board ship as "civilians;" no one not subject to military law and military dangers. Equally necessary to the military establishment, we are subject to be tried for military offences, by military men. We are clothed with military badges, and obliged to render military honors. These gentlemen, when they invest us with the amiable character of "non-combatants," are, as has been intimated, forgetful, among other improvements, of the changes in the art of war produced by the invention of gunpowder. No; as we belong to and perform high and responsible duties in a military service, we claim to have a military character, and respectfully request a defined and respectable military position.

These gentlemen speak of "that invariable rule and military common law, which in an organization purely military, gives precedence to the latter over the civil branch of the service." Now, we should like to understand, how an organization can be purely military, which is said to consist of branches, one of which is civil? The whole organization is military, and that whole takes precedence of one of its parts, which is civil! But we have neither time nor patience to amuse ourselves further with this exquisite confusion of ideas. We simply wish to be informed, how far this subordination is to be extended. This principle will equally require these commissioned officers of the staff, appointed by the highest authority of the land, to yield precedence to Warrant Officers, to Passed Midshipmen, Midshipmen, Boatswains, and Gunners. We call upon these dreadfully military men, to explain the extent of their claims, and define the degree of subordination upon which they insist.

And in this connection, we will quote, for the edification of our

warlike friends, the opinion of that most distinguished lawyer, Walter Jones, on this subject.

"The very arguments (says he) by which the remonstrants attempt to establish the relations of superior and inferior in rank between the two classes of officers, most clearly infer that military rank of some grade is inherent to the offices of Surgeon and Purser. They insist, that a rule is clearly deducible, both from law and regulation, which fixes the relative rank of Surgeons and and Pursers, as intrinsically *inferior* to the rank of every commissioned "sea officer" whatsoever his grade; so that the *lowest* grade of the last is superior to and entitled to command the *highest* grade of the others. Then, if they have succeeded in establishing this relation of *superior* and *inferior* in rank between the two classes of officers, is not the consequence inevitable that *military* rank, howsoever differing in degree, is common to both classes?"

Since this assimilated rank has been, by regulation and law, secured to the Medical and Pay departments of the Army, what earthly intelligible reason is there, that it should not be conferred upon corresponding grades in the Navy? Are our duties less respectable? Our trusts less responsible? Are we not, obviously, from the necessity of the case, exposed to even a greater share of the common military dangers of the service than they? Paymasters in the Army, moreover, not being stationed at military posts, are not near so much in need of this protection as ourselves.

The Purser in our Navy discharges the functions of three classes of officers in the Army, viz: those of Paymaster, Quartermaster, and Commissary—the last two of which are performed, out of Washington, by officers of the line, who are glad enough to assume these "civil" duties for the sake of the additional emolument which they confer. In which they are not without imitation in our service, where we find these exclusive swordsmen, for the sake of enjoying the comforts of shore, anxious competitors for such offices as Inspectors of Provisions, and Examiners of Clothing. And in the capacity of Paymasters of the Navy, what single plausible reason can there be urged, why they should not have the assimilated rank of their brethren of the Army? The only difference which exists between them is, the greater degree of confidence which, from the necessity of the case, is reposed in the naval paymaster, who generally makes his settlements after the expiration of three years instead of three months as is required of his brethren in the Army.

For our Medical officers we fearlessly challenge comparison, on

every ground professional and personal, with any corps in this or any other military service of the world.

But, no; it is urged in this memorial, that "the difference between the land and naval services is so essential that precedents cannot be applied with any safety from the one to the other; and it has been truly said of the Navy, that the whole system of official duties and appointments, and thus the whole system of official association and responsibilities, necessarily differs from the Army." "It has been said" forsooth! By whom said? Why by themselves in a former pamphlet! We insist that no one else than its authors shall, by this seeming quotation, be impliedly made responsible for this most incomprehensible assertion. This mere cuttlefish expenditure of ink is the aptest illustration which has come to our knowledge of Talleyrand's celebrated definition of the use of words, "to conceal ideas." We, at any rate, utterly deny that there is any difference, at all material to this subject; any dissimilarity, except in the pettiest and most irrelevant details, between the duties and appointments, association and responsibilities of the medical and pay officers of the Navy and those of corresponding grades of the Army.

Are these disparagers of the "civil branch" of their service aware, that the three Army corps of Paymasters, Quartermasters, and Commissaries, are each represented here at Washington by a Colonel, Lieutenant Colonel, two Majors and four Captains; and that it is proposed to increase one or more of these staff establishments?

To show how little the writer of this pamphlet has made himself acquainted with the condition of this arrangement in the Army, he says: "Indeed, any assumption of rank or military command from this assimilation seems carefully excluded by the Army regulations, which state, they cannot be appointed or sit as president of a mixed board or council, or exercise any military authority or command whatever over commissioned officers invested with military rank." Now he ought to have known, that the regulation to which he refers, is Paragraph 5 of the Regulations for the Army, which (drawn up by two or three officers of the line in opposition to the previous practice, orders, and laws on the subject, and hastily adopted by the Secretary,) was *expressly abolished* by the act of Congress passed in 1847, with respect to assimilated rank. So much for the extent and accuracy of the information contained in this allusively signed document.

But it is intimated, that this assimilated rank has operated so badly

in the Army, that the Secretary of War has been obliged to call the attention of Congress to the subject. Now, it will hardly be credited, that the very modification proposed by Secretary Crawford for the purpose of preventing any possible conflict between staff officers and officers of the line in matters of command, is (whether expedient or inexpedient) perfectly in accordance with the wishes of the medical and pay officers of the Navy, which this memorial declares to be so utterly subversive of every principle of military discipline and subordination!

The records of the Department are appealed to, for the purpose of showing that this assimilation of rank has worked badly also in the Navy, and impaired the previous harmony and discipline of the service. We challenge the production of those records; and we undertake to prove that these orders, wherever they have been fairly interpreted by our commanders and with a military submission to the authority of the Department, have operated admirably. We call upon our opponents to state the cases to which they refer, and we are willing that on them shall be decided the justice of our claims.

Only one of these is instanced, which occurred in our squadron on the coast of Africa, and which, it is asserted, "involves a military solecism without parallel." Will our countrymen be prepared to hear, that this great solecism, which is here cited as the very *reductio ad absurdum* of staff rank, was simply the claim on the part of a staff officer to sign first instead of second on a survey of provisions! Is it possible to imagine anything less military in its character, than the function thus exercised? Was it not more professional in fact to the Purser in question, who was discharging his duties of a commissary in the squadron, than to the Lieutenant who claimed this precedence? Is not this the very class of duties which these exclusively military men, are in the habit of depreciating, in order to disparage the so called civilians of the service?

How is it conceivable, then, that any well-ordered mind can sophisticate this precedence into a right to command, and, more than all, into a right to military command? Is not this species of authority utterly inconsistent with the very constitution of these boards? In the instance, which, while this writer alludes to it he does not think it expedient to explain, he has omitted to state that the Purser was sustained in his appeal to the Secretary of the Navy, who, justly indignant at this transparent attempt to dispense with the published

orders of the Department, reprimands the Commodore of the African squadron in the following terms.

NAVY DEPARTMENT, *August 4th*, 1848.

COM. WM. C. BOLTON,

Commanding U. S. Squadron,
Coast of Africa.

SIR: Your despatch, No. 35, of the 30th December, 1847, with its enclosures, has been received and considered.

The question raised by Lieutenant Reid, and the disposition made of it, have alike excited my surprise. The terms of the general order are explicit, and admit of no doubtful interpretation—and the conclusion at which you arrived, as well as the reasons given, admit of no other interpretation, than that you did not deem it expedient to enforce the general order of the Department.

It is not possible to conceive a case in which the propriety of the order could be more apparent. In an inspection of *provisions*, a second lieutenant claims precedence over a Purser of older standing in the service according to date of commission.

There was no right of military command claimed by the Purser, and, if necessary, orders to the few men employed, could as well have been given by the Lieutenant as a junior, as if he were the senior member of the board.

The Department has no doubt that Lieutenant Reid assumed a precedence over Purser Heiskell, directly in contravention of the regulation; and on all future occasions, you will be pleased to execute the order according to its letter and spirit.

I am, very respectfully, your obedient servant,
(Signed) J. Y. MASON.

Although it is absolutely insulting to the good sense of our countrymen to multiply arguments and authorities upon this particular, we will simply cite the following passage from a letter of General Cass (formerly Secretary of War) on the subject.

"It seems to me that where mixed Boards are brought to act together, which from their very nature are not of strictly military organization, the officers should act upon such boards agreeably to their assimilated rank. Otherwise professional pride is destroyed, and this species of rank loses all its value."

Yet it is asserted in this pamphlet, that the Surgeons and Pursers have perverted these orders of the Department, and that it was never imagined that they would go the length of claiming a right of precedence on these administrative boards, as an incident to their rank. Now, how is it possible, that so large a number of intelligent Navy officers, who have also taken the trouble to hunt up so many Army precedents (at least so far as they seemed to serve them,) on this subject, should be ignorant of the fact, that this "military solecism without parallel" has not only been an incident to assimilated

rank in that service, but is not objected to, except in the case of the presidency of boards when the junior of the line is actually in command.

In the name of common sense and common fairness, what then did they suppose was meant by the rank conferred by the orders in question? All the right to discipline and control troops, every thing necessarily, essentially and fairly appertaining to military functions, were expressly, and with our honest, hearty, and anxious co-operation, inhibited to us in these orders. And not only was every just prerogative of command thus amply secured, but it was expressly provided, that the rank conferred should give no additional right to quarters, which is an incident, and a most important one, to assimilated rank in the Army. If then this rank, besides conferring no right to military command and no additional claim to quarters, was to give no right of precedence even in unmilitary matters, in Heaven's name what was it understood to confer? Why, we know of but one answer that has ever been vouchsafed to this, and that was on the part of a Naval Commodore on the Pacific station, who declared on a recent occasion, that he considered all the orders intended, "was the assimilation of rank in society, when off duty!" So, then, Messrs. Bancroft and Mason meant to give us no right or claims in the service, and when on duty, but permission to make them good, if we could, in society and when off duty! With as much patience as this misplaced facetiousness will admit of, we are proud to say, that in society, where the consideration enjoyed is regulated not by accidental position but upon qualifications moral and intellectual, we ask neither law nor regulation for our security, nor do we fear comparison with the most favored classes of our military associates. It is only in the midst of their own close corporation of the sword, that we respectfully claim in this age, and under our flag, not to be reduced again to the ill-settled usages of barbarous times, which persons interested in their construction must often of necessity, though perhaps unconsciously, pervert.

Great attention is drawn to the fact, that in the forms of law respectfully submitted by the staff officers of the Navy to the consideration of Congress, "a very important reservation in the General Orders is omitted—the immunity of the executive officer of the ship from the effects of this assimilated rank." Intolerable consequences are predicted from the denial to this officer (the officer of the line next in rank to the one in command) of precedence in cere-

monial matters over the staff officers on board, his seniors. Yet he is a mere police officer, executing the commands of a common superior. It is notorious, that no order of his, in any degree affecting the duties of a purser or a surgeon, will exempt those officers from accountability at Washington. The Government does not recognize his authority, if pleaded as an excuse for any official irregularity. To show what is the opinion of the line itself with regard to this officer, we offer the following passage from a letter of Commodore Jones, declining to execute the orders of the Department with respect to assimilated rank:

"No such rank or grade as Executive officers is known to the law. Every officer, whatever may be his grade or rank in the Navy charged with the performance of any particular duty, becomes an Executive officer, while he is executing the order of a superior."

It can be seen from this, whether the staff officers are chargeable with the difficulties which are alleged to have arisen in the execution of the orders. We have here the testimony of one of their own highest authorities, for the utter impossibility of making the reservation of whose omission they now so warmly complain; that the very term is unrecognized by law; and that a Surgeon or a Purser is equally with respect to his duties an Executive officer. What "blow aimed at the functions" of the first lieutenant of a ship, is involved in his giving precedence to a staff officer with a senior commission? Do not his mysteriously and awfully important functions as the "Executive officer" of the ship, cease when he becomes a member of a board assembled for the survey of provisions, the trial of offences, &c?

This is not only the common sense, but the only possible construction of these orders; and yet, laboring at the same time under that delicate "repugnance to raise issues with brother officers" so handsomely expressed, this clause has been employed as a means of defeating the operation of the order. In the constitution of Boards (which are so peculiarly applicable to the profession of the staff officer, that in some cases a regulation of the Department requires him to be a member) it has been so contrived that this ridiculous claim on the part of every passed midshipman or midshipman temporarily acting in the capacity of first lieutenant of each little schooner or steamboat in the harbor, should be set up against the commission and assimilated rank of the oldest Surgeon and Purser of the squadron.

If there had been any real disposition on the part of our com-

manding officers to carry into effect the published orders of the Department, according to their obvious intent and spirit, much as we object to this reservation with respect to "Executive officers," few of those difficulties would have occurred, of which, though of their own express procurement, they now find it proper to avail themselves. But the medical officers and pursers were not responsible for the introduction of this objectionable clause. It was against their earnest, though respectful, remonstrance, that it was inserted; and at whose instance, and for whose advantage, it is very easy to determine. Whatever might have been the case, had there been greater respect manifested for the solemn orders of the Government, it is obvious that this captious and unnecessary reservation is now altogether impracticable. Any legal arrangement which shall include it, will infallibly, from the manifested disposition of those who are to execute it, result in nothing but confusion, mockery and dissatisfaction.

This "Executive officer" is represented in the Army by the Adjutant of the regiment. Now, who ever heard of this officer taking precedence of others of senior assimilated rank, in virtue of this duty?

These memorialists speak of "the natural repugnance (felt by the officers of the line) at raising an issue with brother officers, with so many of whom the strongest ties of friendship existed, springing from the grateful recollection of kindness and help ministered in hours of the greatest need." This is amiably enough conceived, and gracefully expressed; but, we are sorry to say, is in no accordance with our experience of naval associations. We have the misfortune to know, that this military selfishness but seldom yields to any consideration of friendship or any ties of blood, as many of these very signatures evince.

In what stage of this contest, "brother officers," has this repugnance been manifested? Was it in the insulting application made to Secretary Mason, on the occasion of his communicating to Surgeons and Pursers epaulets, the common badge of commissioned officers, to allow you to dispense with yours? Was it in the indignation meetings which, two years since, you conservators of naval discipline held, under the very eves of the Department, to bring about the compulsory revocation of its orders? Is it in the interference with Fleet Surgeons, and the laborious and idle Returns now exacted of Pursers abroad for the only conceivable purpose of mortification and annoyance? Is it in the refusal of some of our commanding officers

afloat, since the publication of these orders, to accord the honors appertaining to assimilated rank, and on the part of others in their disuse in their own case, in order that their staff officers might be deterred from claiming them? In which intelligible, though unwonted, self-denial, they have been not unfrequently imitated by the junior officers of the ship. We might, did our limits permit, present a thousand instances of caste jealousy and military arrogance, since the commencement of this contest, in which no such "repugnance at raising an issue with brother officers" has been manifested. No, no, sirs: words cost nothing; and this pamphlet seems to have been expressly written to show, that words may likewise mean nothing.

Much of this paper is employed in the enumeration of the improvements, which, from time to time, Congress has been pleased to effect, with respect to the pay, &c., of the staff officers of the Navy. I will not stop to inquire, whether the position of our opponents has not also been improved, and whether all these changes of which they remind us, were not instituted, not only without the co-operation, but without the sympathy, and frequently against the influence of the officers of the line. Certain it is, that increase of pay, direction of bureaus, and arrangement of uniform, were effected without the least obligation to the efforts or suggestions of these classes of officers. They were established, because recommended to government by obvious considerations of individual justice, but still more, far more, by paramount convictions of public utility. It is to be feared, that at each successive stage in this naval adaptation to the progress of our country and to the wants of an enlightened age, not a few, fondly recurring to the good old times of the "usages of the sea service" and "military common law," were heard to assert that the Navy was "going to the devil."

But, instead of the changes, which have recommended themselves to the wisdom of Congress, being considered as a reason why important classes of officers, whose condition in other respects has thus been materially advanced, should be deprived of all defined social and official position in the service, it is fairly to be considered an argument why that position should be correspondingly improved. Shall Congress enlarge the trusts and increase the emoluments of officers, from the conviction that it would thereby be more likely to secure the services of respectable and responsible men, and yet refuse to accord them a rank in the service commensurate with that elevation?

We protest, at any rate, respectfully but earnestly, against the idea that the people's money has been bestowed upon us as a price of official degradation. Certainly, neither we nor our associates of the line have been parties to this agreement. We have never given any implied assent to such an arrangement, and assuredly they have not, by any co-operation of theirs, entitled themselves to insist upon it.

In the case of our Consuls abroad, it has been found on public grounds, so inexpedient to trust them to the "courtesy" of these military men, that relative rank and corresponding uniform have been expressly assigned them. It would not be difficult for us to instance the cases of arrogant depreciation which compelled this protection. And yet their intercourse with our consuls is extremely limited and casual. Shall we, then, be denied this protection, who are an essential part of their service, and whose whole lives are spent in their association?

After enlarging upon their claims to advantages, on the grounds of an education received at public expense, they are pleased to say with some show of candor: "But was this a reason why their condition (that of the staff officers) should not have been improved? Certainly not. We agree cheerfully and cordially to every improvement that does not infringe upon the rights of others, or impair the discipline of the service." In other words, we may retain what we have gained, provided we do not venture to interfere with their darling monopoly of precedence and pomp, or sap the foundations of all discipline, by presuming to stick the probing finger first into a barrel of putrid beef!

The ingratitude of the corps of Pursers is severely commented upon. It is said, "when it suited them they shook off the old system of emoluments from commissions, had themselves made salary officers, and liberal salaries they are, with clerks allowed," &c. As to the pursers doing this when it suited them, it must be known to the greater portion of the gentlemen whose names are appended to this paper, that this change in the compensation of pursers was not obtained from the justice of Congress, till after years of earnest appeals and unremitted efforts on the part of the corps, and, we grieve to recollect, any thing but good will and brotherly co-operation from many of the officers of the line. Perhaps it might not have been inconvenient on some accounts to keep the disbursing officer of the ship in so absolute dependence upon the favor of his commander, that his subserviency was necessary to the prevention of his ruin.

Perhaps also it may not be considered extravagant to claim some little credit for the professional pride and becoming sensibility displayed by the pursers, in so long and unitedly applying to have their compensation changed (and, thereby, notoriously in many cases reduced) from speculative commissions to fixed salaries. As the writer of this pamphlet is determined to enumerate all his claims upon the gratitude of his opponents, he is careful to speak of the clerks of the Medical Bureau and of the Pursers. Will he be so kind as to inform his readers whether these clerical assistants have more or less to perform than the officials, whose duty it is to conduct the extensive correspondence of the commanding officers of our sloops, our brigs and our schooners?

The example of the British Navy is triumphantly cited against this claim of American officers to assimilated rank. The same example has probably been urged against all the advancements of individual happiness, all the removals of class monopolies, which have taken place under our system. And no reason has yet been given, why, while we have liberated ourselves from the slavish imitation of England with respect to our other institutions, we should feel bound to perpetuate its aristocratic distinctions in our Navy.

To show the consistency of their appeal to the example of England, look at their objection to our wearing epaulets, although the most distinctive in the service; and yet these badges have been freely accorded to Surgeons and Pursers by the long-descended Admirals of that most aristocratic empire.

But we utterly deny the applicability of English precedent in this case. The English social and political systems are essentially and avowedly aristocratic, to which there is no manifest impropriety in conforming their naval organization. It is, like the Church, a means of providing for the younger sons of the nobility and gentry, who rapidly rise over the heads of others to the higher grades of their service. No such career is open to medical officers and pursers, and of course these young patricians are never to be found in such positions. But in our Navy, it is evident that there is no such distinction of blood and social consideration between the officers of the line and staff. Surgeons and pursers are appointed from the same class, and frequently from the same family, as their associates.

Yet there has been, even in the English Navy, a visible progression of ideas upon this subject. This pamphlet admits, that "the condition of the British naval officers has been greatly improved of

late years, as well as our own, including the corps of surgeons, but all changes touching discipline and military organization are well digested in that service. None have been made affecting the relative position of officers and their several obligations on ship-board." Now, so far is this from being true, that, about five years ago, a regulation from the Admiralty gave to surgeons and pursers the rank of lieutenants. And as to the principle of staff or assimilated rank, it (as this writer has been obliged to admit) has long since existed in the English service, in the case of certain classes of medical officers, to whom very high rank has been assigned. So much for the English example, whose utter inapplicability to our service we have already asserted. And in the case of our pay officers is this most especially apparent, whose compensation, duties and responsibilities, have hardly a point of resemblance to those of the English purser.

As an illustration of what degree of solicitude for the discipline of the service enters into this attack upon the staff officers of the Navy, we would call attention to the late insubordinate circulars of Commodore Morgan, to the commanding officers of his squadron, abolishing all regulations of the Navy Department, except such as have been "approved by the President *(so far as they are in use)* and my own regulations for the *method* and government of the squadron." The orders of the different Bureaus of the Navy Department he expressly proclaims shall no longer be respected under his command; although Section 5 of the Act approved August 31st, 1842, which established these Bureaus, declares, that "all the duties of the said Bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such." Can such an instance of arrogance and insubordination be adduced in the history of any other Navy of the world? But in ours, we are not at liberty to pronounce this indeed to be a "military solecism without parallel," since similar assumptions occurred on the part of this very officer in 1843 and 1844, which caused him to be deprived of his command in the Mediterranean, and to receive the following withering rebuke from the Secretary of the Navy. "An officer who debates, instead of obeying the orders of the Department, is unfit to be trusted with the interests of the Government. Your successor has, therefore, been appointed, and you will return to the United States in the way most convenient to yourself."

Nor can it be said, that "none but himself can be his parallel,"

for a similar abrogation of the law of Congress establishing the Bureaus, has taken place on the Pacific station, and now no doubt the flag of rebellion will be unfurled upon every sea. Yet these are the officers who are more especially called upon to set in their own persons an example of military obedience and subordination, and who profess such a tender solicitude for the preservation of the discipline of the service!

The most distinguished signer of this memorial is an officer, who once expressed himself in a private letter utterly indifferent to this matter, looking upon it as an affair of very little consequence, and in another widely circulated communication, pronounced the Navy the most unmitigated aristocracy in the world, which deserved to be abolished. We all remember what consternation this avowal of his produced at the time, among the eulogists of that most perfect "military common law" of ours, and we could hardly have expected, that they would have applied for, and have obtained, his assistance in propping up this most rotten pillar of their crumbling pile.

Much stress is laid by these memorialists upon the argument of their greater length of service. Yet they have forgotten, that while serving as midshipmen, they were mere students in the profession of military seamanship, at the public expense. Moreover, officers of the line merely pass through the grades of lieutenants and commanders, in which surgeons and pursers must forever abide. So that although some of these staff officers may for a time rank, under certain circumstances, higher than many commanders of the line, in a few years these, as the youngest post captains, will take final precedence over the oldest of the former. And even while passing through these intermediate grades, when invested with the substantial prerogatives of command, they will enjoy that precedence. They are therefore, one would think, amply enough compensated for their merely temporary and ceremonial postponement, by the essential and progressive character of the advancement which they obtain. Moreover, it must be borne in mind that this assimilation of naval rank places surgeons and pursers twelve years behind their grade in the army, where they would rank as majors from very date of commission. Medical officers are even now but little behind the line with respect to this argument of time, and such will be the case with pursers (now from date of appointment at the head of their department), so soon as Congress shall have created the grade of Assistant

Pursers, which has been so often recommended by the executive, and two years since nearly passed into law.

Assimilated or staff rank having been conferred in article 4, of the General Regulations of Mr. Paulding in 1841, we simply draw attention to the fact, that as it has received in the Army all the sanction of regulation, law, time, and general acquiescence, it has likewise in the navy been established by three Secretaries acting under highest executive authority, and one occasion passed the House of Representatives, and only failed in the Senate because not reported. How idle, therefore, to treat this as a recent military innovation, even in this service so unfortunately conservative of its abuses.

Is it creditable to the accuracy of these memorialists, that they have understated by $26,000, the yearly disbursements of the Medical Bureau?" Yet it is infinitely more so than to their intelligence, in estimating the value of that important establishment solely by the dollars and cents of which it superintends the expenditure.

We find on inquiry, that we also have under-stated our case with regard to the Quartermasters' Department, which is represented here at Washington by a Brigadier General, (*ex officio*, and in this respect it differs from every other staff corps in the army,) two Colonels, &c. But let that pass. We can afford these under-estimates.

Granting that we are, as is alleged, unimportant and easily supplied, but what is there after all so unapproachably elevated in the profession of our opponents? It is notorious, that their nautical functions, in the exercise of which very nearly all of their professional service is employed, are performed quite as well, much more constantly and laboriously, under more trying circumstances, and with far less adequate means, by the mates and masters of our mercantile marine. Their mere manual exercise of naval gunnery —, who does not know how simple an affair it is, and how very easy of acquirement? There are a few of them, it is true, engaged in somewhat more difficult and intellectual avocations at Washington and on our coasts, under the direction or with the assistance of civilians, yet these are strictly staff duties, and altogether unmilitary in their character. The truth is, that they are at once most necessary and respectable, quite as much so as, but not a whit more so than, their associates of the staff.

In the remarks which we have submitted upon the memorial in question, we beg to be understood as making no unkind reference to individuals, or being actuated by the least personal hostility. Cruel

and wanton as we cannot but consider this attempt on the part of our brother officers, to degrade us to the insecure and humiliating tenure of dependents upon their favor for the enjoyment in the service of almost every social right, we desire most anxiously to prevent our wounded sensibilities from betraying us into any harshness of expression, or any reflection upon private character. Towards many of the signers of this document we entertain the most sincere respect, and for some the most affectionate regard. But they have forced us to distinguish between the officer and the man. They have done every thing in their power to alienate our sympathies from the service, and to disgust us with what would otherwise have been among the most cherished associations of our lives. We deplore this; but we are not responsible for it. We solemnly assure them, that their mode of subjecting the "civil" to the military branch of the service, will never compel the harmony which they profess to desire.

We will bring these remarks to a close, by quoting the words of the eminent jurist to whom we have already referred, (Gen. Walter Jones) in his opinion upon the legality of the General Orders of the Department upon this subject. "It is clear (says he) that the assimilated rank of Surgeons and Pursers is left undetermined, both by positive law and the regulations prepared by the Navy commissioners: that their official duties must frequently and necessarily bring them into such official relations to officers invested with military commands, as imperatively call for some adjustment of relative rank between them, in order to avoid confusion and other mischiefs to the service: that those inconveniences demanded an adequate and speedy remedy; and that they have been met by a remedy reasonable and unexceptionable in itself, and perfectly agreeable to all the analogies of military law and usage in general—and especially of military law and usage in our own service."